UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/091,047	03/04/2002	Hugh H. Shieh	6541-62417	6514

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ART UNIT	PAPER NUMBER
2134	

DATE MAILED: 10/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/091,047	SHIEH, HUGH H.
	Examiner	Art Unit	
	Jason K. Gee	2134	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *18 August 2006*.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-4,6-9 and 11-32* is/are pending in the application.

　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-4,6-9 and 11-32* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on *03/04/2002* is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　a) ☐ All　b) ☐ Some * c) ☐ None of:

　　1. ☐ Certified copies of the priority documents have been received.

　　2. ☐ Certified copies of the priority documents have been received in Application No. _____.

　　3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)　Paper No(s)/Mail Date *12/15/2006*.

4) ☐ Interview Summary (PTO-413)　Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____ .

DETAILED ACTION

1.   This action is response to communication: filed on 08/18/2006.

2.   Claims 1-4, 6-9, and 11-32 are currently pending in this application. Claims 1, 6,

11, 14, 17, and 23 are independent claims. Claims 5 and 10 have been cancelled.

Claims 29-32 have been added.

3.   The IDS received 12/15/2006 has been accepted.

Response to Arguments

4.   The Examiner thanks the applicant for submitting the Affidavit 1.132, and has

carefully reviewed this submission along with the documents provided with the IDS.

The Applicants have argued that the concepts and ideas used by the applied reference

(Widgren '749 with the provisional application filed on March 6, 2001) were derived from

the present Applicant of this application (Shieh). However, these arguments are not

persuasive. The reference and the provisional (2002/0120749 and 60/273,678) applied

comprise a different inventive entity than the present application. Further, the

assignees of the reference in question and the present application are not the same

company. Therefore, the Widgren application and the related provisionals are not

recognized as being the Applicant's concept at this time, and the Affidavit filed by the

Applicant does not call for the withdrawal of the Widgren application in the rejection.

Filing an Affadavit. C.F.R 1.132 was not a proper venue to argue that the ideas

and concepts of the reference in question were derived from the Applicant. One proper

venue the Applicant may pursue is an Interference.

5.   Applicant's arguments filed in regards to claims 1-32 have been fully considered

but they are not persuasive.

        In the arguments, the Applicant has also stated that the March 6 Provisional

teaches away from the Applicant's invention in regards to a flow identifier. However, the

applicant's claimed invention does not explicitly teach the further limitations of a flow

identifier, wherein the system uses an authorization token per media stream.   The

applicants cite merely a "flow identifier" in the independent claims. Furthermore, the

applicant cites that an alternative method to overcome the inclusion of an authorization

token per media flow would be "An alternative proposed here is to identify IP media

flows by their order in the SDP....". This is found in the applicant's April 17 provisional

in the "Discussion" section, immediately following the paragraph in which he cited in the

Remarks/Arguments. The applicant points to Method 1 found in the reference's

provisional (March 6) that the passage teaches away. However, the applicant fails to

mention "Method 2" immediately following the section entitled Method 1. Method 2 cites

"Assign the next consecutive number to all new streams identified in increasing order

when processing the SDP...". Finally, the applicant's April 17 Provisional also cites in

the Discussion section that "The P-CSCF/PCF needs to issue a new authorization token

when the SDP changes." According to the reference's provisional application (March

6), under Method 2, it cites "This well defined algorithm ensures that both entities shall

generate the same identifier for the same stream." Hence, the Widgren reference and

provisional do not teach away, but, instead, are teaching the same concept.

The Applicant has also added new claims 29-32. However, this is explicitly

taught in the reference's provisional application (60/248,110 filed Nov. 13, 2000).

Drawings

6.   The previous objections to the drawings have been withdrawn in response to

applicant's new submissions.

Claim Rejections - 35 USC § 112

7.   The previous 112 rejections have been withdrawn in response to the applicant's

amendment.

Claim Rejections - 35 USC § 102

8.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by
another filed in the United States before the invention by the applicant for patent or (2) a patent
granted on an application for patent by another filed in the United States before the invention by the
applicant for patent, except that an international application filed under the treaty defined in section
351(a) shall have the effects for purposes of this subsection of an application filed in the United States

only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9.   Claims 1-28 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by

Widegren et al. US Patent Application Publication 2002/0120749 (hereinafter '749).

As per claim 1, '749 teaches media binding in a PDP (packet data protocol)

context (paragraph 66). Binding information for one or more media flows of a session is

taught in paragraphs 68 and 71. "Media binding information is created for each media

data stream. The media binding information associates each media data stream in the

session to one of the media packet access bearers and is used to provide session-

based control of each of the media packet access bearers" (paragraph 68). Binding

information includes an authorization token and one or more IP media flow identifiers:

"media binding information for one of the media data streams includes a session

identifier that identifies the session and a media data stream identifier corresponding to

the one media data stream" (paragraph 68). Paragraph 122 indicates that the session

identifier is an authorization token. '749 is directed toward IP media flows and

identifiers, as paragraph 3 indicates so as well as Figure 1. Transmitting this

information can be seen in Figure 1.

As per claims 2 and 7, paragraph '71 teaches "In one example, the session

identifier is included in session authorization signaling, and the media flow identifier for

the corresponding media flow is added to the session identifier to generate the media

binding information for that media flow." As already indicated in the rejection for claim

1, paragraph 122 indicates that the session identifier is an authorization token.

As per claims 3 and 8, the use of SIP and using SDP for referencing is taught in

paragraph 70. User equipment is taught in paragraph 110 along with a P-CSCF/PCF,

which uses SIP protocol.

As per claim 4, paragraph 61 teaches a PDP context activation request and a

PDP context modification request.

As per claims 5 and 10, it is inherent that there is a computer readable medium,

as the system described in '749 utilizes a computer, and a computer or apparatus that

performs such methods will comprise of a computer readable medium.

Independent claim 6 is rejected using the same basis of arguments used to reject

claim 1. This happens in a network node, as indicated in paragraph 71. Receiving

binding information is taught throughout the reference (seen in Figure 20). The binding

information includes an authorization token and one or more IP media flow identifiers,

as indicated in the rejection for claim 1. Interpreting each of one or more IP media flow

identifiers relative to the authorization token is also seen in Figure 20, and also taught

throughout the reference, as can be seen in paragraphs 68-72, as the media flow

identifiers and the authorization token are associated with each other, and as can be

seen in the rejection for claim 2.

As per claims 9 and 16, paragraphs 64, 65, and 67 teach policy rules that

authorize media flow. Paragraph 67 also teaches that this can use a server-based local

policy decision.

As per independent claim 11, the method of requesting resource authorization

and allocation is taught in '749. Resources are allocated as media is flowing.

Receiving a media authorization token is taught in paragraph 193. Paragraph 111 and

113 teaches the transmittal of a context activation request. This requests include media

binding information. As found in the rejection for claim 1, this media binding information

includes an authorization token in combination with a media flow identifier. Paragraph

113 indicates that this information is sufficient to uniquely identify media flows from

among plural media flows of the session: "The media binding information is used by the

... to uniquely identify, monitor, and control the IP media flows and bearers from the

session level" (paragraph 113). There are a plurality of media flow identifiers as each

identifier "uniquely" identifies media flows. As rejected in claim 5 above, it is inherent

that this system comprises a computer-readable medium. Transmitting and receiving

information can be seen in Figures 1 and 2.

As per claim 12, '749 teaches in paragraph 121 that a media flow identifier

reference a flow order in a session description (SDP is a session description).

Paragraph 190 teaches a gateway node referred to as a "gate keeper" that authorizes

media flows according to policy decisions. Service-based local policy decisions are

taught in paragraph 67.

As per claim 13, paragraph 120 teaches a second media authorization token. As

is taught in this paragraph, this token is combined with the media stream: "Because

both entities use the same procedure, both generate the same media stream identifier

for each stream. The complete media binding information is the combination of the

session token and the media stream identifier." As is taught in paragraph 67, these

requests can be modification requests, in which binding information is attached to.

As per independent claim 14, a computer-readable medium having executable instructions for authorizing and allocating resources is already rejected in claim 11. A network node is rejected using the same arguments used to reject claim 6. Receiving a context request including a media authorization token for authorizing each of one or more media flows of a session, wherein the media authorization token in combination with a media flow identifier from among plural media flow identifiers is sufficient to uniquely identify a media flow from among plural media flows of the session is already rejected in claim 11 as well. Although claim 11 teaches transmitting this information, this information will need to be received in some manner, and paragraphs 111 and 113 teach receiving the information request as well. Paragraph 106 teaches requesting policy information indicated by the media authorization token: "In addition, the media binding information is used to retrieve session, media, and policy-related information from the multimedia system." It is discussed earlier that the media binding information includes the authorization token. Plural media flow identifiers are rejected in claim 11.

As per claim 15, '749 teaches in paragraph 121 that a media flow identifier reference a flow order in a session description (SDP is a session description).

As per independent claim 17, a computer-readable medium having encoded therein computer-executable instructions for causing user equipment programmed thereby to perform a method of requesting resource authorization and allocation for one or more packet media flows of a session is already rejected in the rejection for claim 11. Receiving an authorization token and packet media flow information is already rejected in the rejection for claim 1 and 11 above, and paragraph 68 indicates that this is

performed during session signaling. Transmitting one or more messages including binding information for authorizing one or more packet media flows of a session, wherein the binding information includes the authorization token, is already rejected in the rejection for claim 1 and 11. Paragraph 120 indicates that one or more packet media flow identifiers is interpreted relative to the authorization token to identify a packet media flow of the session. The media stream described in 120 is a packet media flow, as the transfer of data is done through packets throughout the whole reference. Receiving and transmitting all this information is also shown in Figures 1 and 2. Binding information including one or more packet media flow identifiers is already rejected in claim 1. One or more packet media flows is taught throughout the '749 reference , as multiple media flows are taught in a session.

As per claim 18, paragraphs 28 indicates that the user equipment may be a cellular device. Paragraph 20 teaches a GGSN, and paragraph 61 teaches a PDP context activation request and a PDP context modification request.

As per claim 19, '749 is directed toward IP media flows, as paragraph 3 and Figure 1 indicate the system utilizing Internet Protocol.

As per claim 20, paragraphs 63 and 70 teaches SDP, in which it comprises the packet media flow information. Paragraph 70 states "In other words, the media binding information may be included in the SDP information for the multimedia session." Paragraph 121 indicates the media stream identifier my include the order in the SDP description.

As per claim 21, SIP is taught in paragraph 63. Paragraphs 185 and 186 teach that the authorization token is created by the PCF, and stored in the P-CSCF. This indicates that the PCF is working along with the P-CSCF, and is therefore part of it.

As per claim 22, paragraph 21 indicates that a single message can be used to request resource authorization and allocation for all packet media flows of the session. Paragraph 21 cites "One or more application flows may be established over a single PDP context through negotiations with the GGSN." As can be seen, a single context can initiate media flow, which consists of resource authorization and allocation. Resource authorization and allocation is rejected in claim 11.

Independent claim 23 is rejected using the same basis of arguments used to reject claim 17. Transmitting information and data can be seen in Figures 1 and 2. Also, after information and data is received, it is processed as User B in Figure 1 needs to understand the information. Throughout the whole reference in '749, the interactions between user A and B can be seen, as information and data is being transferred and processed between the two. Receiving a message including binding information for authorizing one or more packet media flows of a session , wherein the binding information includes an authorization token and one or more packet media flow identifiers is already rejected in claim 6. One or more packet media flows of a session has been rejected in the previous rejections.

Claim 24 is rejected using the same basis of arguments for claim 18 and 19.

Claim 25 is rejected using the same basis of arguments used to reject claim 20.

Claim 26 is rejected using the same basis of arguments used to reject claim 21.

Claim 27 is rejected using the same basis of arguments used to reject claim 22.

As per claim 28, paragraph 106 teaches requesting policy information indicated

by the media authorization token: "In addition, the media binding information is used to

retrieve session, media, and policy-related information from the multimedia system." It

is discussed earlier that the media binding information includes the authorization token.

Claim Rejections - 35 USC § 103

10.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

11.   Claims 29-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over

'749 as applied above, and in view of the '749 Provisional Application No. 60/248,110

(hereinafter '110, also provided in the Applicant's IDS).

Claims 29-32 are rejected, as the '110 provisional cites "The UE decides which

PDP context to use to submit the token. For the sake of simplicity, only one token

(corresponding to one SDP flow) is used per PDP context activation/modification.

At the time of the invention, it would have been obvious to combine the teachings

of '110 with '749. '749 cites that '110 has been incorporated with the reference as '110

is a provisional of '749.

Conclusion

12.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

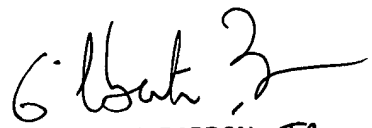than SIX MONTHS from the date of this final action.

13.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Jason K. Gee whose telephone number is (571) 272-

6431. The examiner can normally be reached on M-F, 7:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Gilberto Barron can be reached on (571) 272-38383799. The fax phone

number for the organization where this application or proceeding is assigned is 571-

273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

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